

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DIANA COREA, SINDY PINEDA, ISAAC
RUNCIMAN, AMPARO CHAUCA, LAOS
CARDOSO, AND JUANA CRUZ, Individually
and on behalf of all others similarly situated as
Class Representatives,

Plaintiffs,

v.

CAFÉ SPICE {GCT}, INC. A/K/A CAFÉ
SPICE INC. A/K/A CAFÉ SPICE GLOBAL
CUISINE A/K/A ZAIKA FLAVORS OF
INDIA; SUSHIL MALHOTRA; SAMEER
MALHOTRA; PAYAL MALHOTRA; AND
VIRGILIO FELIX,

Defendants.

Civil Action No. 7:18-cv-10354-KMK

COLLECTIVE AND CLASS ACTION

~~[PROPOSED]~~ FINAL JUDGMENT

WHEREAS, pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Court provisionally certified a NYLL class on February 25, 2020 and approved the form of the Notice of Class Action Settlement (“Class Notice”), and authorized the mailing of Class Notices to the Qualified Class Members (“Preliminary Approval Order”);

WHEREAS, on March 5, 2020, the Court granted preliminary approval of the Settlement Agreement and Release between the above-captioned Parties in this Litigation (the “Agreement”);

WHEREAS, on ____ June 17 ____, 2020, the Court entered its Order Granting the Parties’ Motion for Final Approval of the Class Settlement and Plaintiffs’ Motion for Approval

of Attorneys' Fees, Reimbursement of Expenses, and Service Awards (the "Final Approval Order"), granting final approval to the settlement;

WHEREAS, in the Final Approval Order, the Court found that the Settlement is fair, reasonable, and adequate within the meaning of Federal Rule of Civil Procedure 23(e), the Fair Labor Standards Act, and all other applicable law;

WHEREAS, the Court has found that the Class Notices sent to the Affected Class Members (as defined in the Agreement) fairly and adequately informed the Affected Class Members of the terms of the settlement, was consistent with Federal Rule of Civil Procedure 23 and due process, and was given in the manner prescribed by the Agreement and the Preliminary Approval Order; and

WHEREAS, in the Final Approval Order, the Court approved the Settlement Administrator to make payments and distributions and take all measures described in the Agreement as called for in the Final Approval Order;

NOW, THEREFORE, IT IS HEREBY ORDERED that:

This Court hereby enters final judgment in this case approving the Agreement as fair, reasonable, and adequate, and dismisses this case with prejudice, in accordance with the terms of the Agreement and the Final Approval Order.

Affected Class Members (as defined in the Settlement Agreement) received Notice under Rule 23(c)(2) and the Court finds them to be class members bound by this Final Judgment.

Without affecting the finality of this Final Judgment in any way, the Court reserves exclusive and continuing jurisdiction over this action, the Plaintiffs and all other Affected Class Members, and the Defendant for the purpose of supervising the implementation, enforcement, construction, and interpretation of the Agreement, the Preliminary Approval Order, the Final Approval Order, and this Final Judgment.

It is so ORDERED this 17th day of June, 2020.



Honorable Kenneth M. Karas

United States District Judge